

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS

LAREDO DIVISION

United States Courts  
Southern District of Texas

FILED

*May 31, 2023*

Nathan Ochsner, Clerk of Court

UNITED STATES OF AMERICA

v.

**ABIGAIL RUBIO**  
**ALEXIS AGUINA-RAMOS**

§  
§  
§  
§

CRIMINAL NO. **L-23-CR-649**

**DS**

**INDICTMENT**

**THE GRAND JURY CHARGES THAT:**

**Introduction**

At various times relevant to the Indictment,

1. The term “person” includes any individual, corporation, company, association, firm, partnership, society, or joint stock company.
2. The term “interstate or foreign commerce” includes commerce between any place in a State and any place outside of that State.
3. The term “firearm” means: 1) any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, and 2) the frame or receiver of any such weapon.
4. The term “dealer” means any person engaged in the business of selling firearms at wholesale or retail.
5. The term “licensed dealer” means any dealer who is licensed under the provisions of Chapter 44 of Title 18, United States Code.
6. Kirkpatrick Guns & Ammo is a Federal Firearms Licensees (FFL) under the provisions of Chapter 44 of Title 18, United States Code.

7. The term “alien” means any person not a citizen or national of the United States.

**COUNT ONE**

From on or about **April 19, 2022**, through on or about **May 3, 2023** in the Southern District of Texas and within the jurisdiction of the Court, Defendants,

**ABIGAIL RUBIO and  
ALEXIS AGUINA-RAMOS,**

aiding and abetting each other, in connection with the acquisition of an Aero Precision X-15, .223 caliber rifle, Serial Number X412600, from Kirkpatrick Guns & Ammo, a licensed dealer of firearms within the meaning of Chapter 44 of Title 18, United States Code, knowingly made a false and fictitious oral and written statement to Kirkpatrick Guns & Ammo, which statement was intended and likely to deceive Kirkpatrick Guns & Ammo, as to a fact material to the lawfulness of such acquisition of the said firearms to the Defendants under Chapter 44 of Title 18, in that **ABIGAIL RUBIO** represented on a ATF Form 4473 that she was the actual buyer of the firearms listed on the Form 4473, when in fact as **ABIGAIL RUBIO** knew, she was not the actual buyer of the firearms,

In violation of Title 18, United States Code, Sections 922(a)(6), 924(a)(2), and Section 2.

**COUNT TWO**

From on or about **April 19, 2022**, through on or about **May 3, 2023**, in the Southern District of Texas and within the jurisdiction of the Court, Defendant,

**ABIGAIL RUBIO,**

knowingly sold and disposed of, that is, transferred, the following firearm: Aero Precision X-15, .223 caliber rifle, Serial Number X412600 to **ALEXIS AGUINA-RAMOS**, knowing and having reasonable cause to believe that **ALEXIS AGUINA-RAMOS**, was an alien illegally and unlawfully in the United States,

In violation of Title 18, United States Code, Sections 922(d) and 924(a)(2).

**COUNT THREE**

From on or about **April 19, 2022**, through on or about **May 3, 2023**, in the Southern District of Texas and within the jurisdiction of the Court, Defendant,

**ALEXIS AGUINA-RAMOS**,

knowing that **ALEXIS AGUINA-RAMOS** was an alien illegally and unlawfully in the United States, knowingly possessed the below listed firearms and ammunition:

	<b>MAKE &amp; MODEL</b>	<b>CALIBER</b>	<b>SERIAL NUMBER</b>
1.	Glock, Model 43	9 mm pistol	AFRP269
2.	Aero Precision X-15	.223 Caliber rifle	X412600
3.	Ammunition	9 mm	

and the firearms were in and affecting interstate and foreign commerce,

In violation of Title 18, United States Code, Sections 922(g)(5)(A) and 924(a)(2).

**NOTICE OF FORFEITURE**

**18 U.S.C. §922(g)  
(Counts One, Two and Three)**

Pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), the United States gives notice to Defendants,

**ABIGAIL RUBIO and  
ALEXIS AGUINA-RAMOS**,

that upon conviction of a violation of Title 18, United States Code, Section 922(g), all firearms/ammunition involved in said violation are subject to forfeiture, including but not limited to the following:

	<b>MAKE &amp; MODEL</b>	<b>CALIBER</b>	<b>SERIAL NUMBER</b>
1.	Glock, Model 43	9 mm pistol	AFRP269
2.	Aero Precision X-15	.223 Caliber rifle	X412600
3.	Ammunition	9 mm	

A TRUE BILL:

ORIGINAL SIGNATURE ON FILE

ALAMDAR S. HAMDANI  
UNITED STATES ATTORNEY



Steven Chamberlin  
Assistant United States Attorney

USA-74-24b  
(Rev. 6-1-71)

**CRIMINAL DOCKET**

**L-23-CR-649**

LAREDO DIVISION

NO. \_\_\_\_\_

FILE: 23-3036 MAG#: 23-MJ-923  
INDICTMENT Filed: May 31, 2023

**DS**  
Judge: \_\_\_\_\_

UNITED STATES OF AMERICA

ATTORNEYS:

VS.

ALAMDAR S. HAMDANI, USA  
STEVEN CHAMBERLIN, AUSA

**ABIGAIL RUBIO**  
**ALEXIS AGUINA-RAMOS**

**CHARGES:**

Count 1: False Statement During Purchase of a Firearm  
[18 USC 922(a)(6), 924(a)(2)]

Count 2: Sale or Transfer of a Firearm to an Alien admitted to the United States under nonimmigrant visa  
[18 USC 922(d)(5)(B), 924(a)(8)]

Count 3: Possession of Firearm and Ammunition by Alien Illegally or Unlawfully in the United States  
[18 USC 922(g)(5)(A), 924(a)(8)]

Notice of Forfeiture

**TOTAL COUNTS: 3**

**PENALTY:**

Ct. 1: 0 to 10 years and/or \$250,000 Fine, \$100 special assessment, Not more than a three three-year term of supervised release

Ct. 2: 0 to 15 years and/or \$250,000 Fine, \$100 special assessment, Not more than a three three-year term of supervised release

Ct. 3: 0 to 15 years and/or \$250,000 Fine, \$100 special assessment, Not more than a three (3)-year term of supervised release